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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,772	09/27/2001	Tomio Amano	JP9-2000-0267US1 (590.083)	3441
35195	7590	10/25/2005	EXAMINER	
REFERENCE & ASSOCIATES 409 BROAD STREET PITTSBURGH, PA 15143			TRAN, QUOC A	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/965,772	AMANO, TOMIO	
	Examiner Quoc A. Tran	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 08/08/2005, to the original application filed 07/24/2001, which claims benefit of foreign priority of Japan 2000-295007 filed 09/27/2000.
2. Claims 1-22 are pending. Claims 1, 4, 6, 8, 10, 12-13, 15-17 and 19-22 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable by Thielens et al. US Patent No. 5,666,139 filed 03/03/1995 (hereinafter Thielens), in view of Stern et al. US Pub No. 2003/0177115 A1 provisional No. 60/227,512 filed 08/24/200 (hereinafter Stern), further in view of WordPerfect Version 5.1 for Dos – published by WordPerfect Corporation 1989 (hereinafter WordPerfect).

In regard to independent claim 1, defining a tag set to prevent errors or incorrect character conversions that occur frequently during the re-input of text; and using a tag set to add rewritten information to a predetermined portion of said application data (as taught by Thielens at col. 17, line 65 through col. 18, line 20).

Thielens does not explicitly teach, **support method for application data written in a markup description language**, however (as taught by Stern at page 1, paragraph [0001] (i.e. method in which the probability of errors occurring during the preparation of the scanned documents), also (as taught by Stern at page 2, paragraph [0018] (i.e. document written in a mark-up language including, but not limited to, HTML (hypertext mark-up language) or VRML (virtual reality modeling language), dynamic HTML, XML (extensible mark-up language) or XSL (XML styling language), or related computer languages thereof).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Stern into Thielens to provide a way to include the feature, wherein data written in a markup description language. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

Thielens and Stern do not explicitly teach **error correction**, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or grammar when you press (Ctrl-F2), which has the broadest reasonable interpretations as claimed, “error correction”.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of checking spelling featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution,

which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017].

In regard to dependent claim 2, wherein said tag set is defined for at least one of a character in the same shape, a similar character, a space or a character having a complicated shape, (as taught by Thielens at col. 3, line 15 through col. 4, line 21, i.e. Thielens provided a spelling checker, similar to conventional word processing computer systems. Such spelling checkers generally include a master list).

In regard to dependent claim 3, Thielens does not explicitly teach, **wherein said markup description language is XML (Extensible Markup Language),** however (as taught by Stern at page 2, paragraph [0018].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Stern into Thielens to provide a way to include the feature, wherein the markup description language is XML (Extensible Markup Language). One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017].

In regard to independent claim 4, incorporate substantially similar subject matter as cited in claims 1 above, and in further view of the following, and is similarly rejected along the same rationale.

writing correction code, which is based on a predetermined algorithm, however (as taught by WordPerfect at pages 580-581. The Wp{wp}.spw file containing programming code necessary to run the speller, which has the broadest reasonable interrelations as claimed.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of Speller Dictionary featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

In regard to independent claim 5, wherein said correction code is calculated for a character string that represents an attribute value or an attribute name, and is written using a predetermined attribute for the description of an error code, however (as taught by WordPerfect at pages 580-581. The Wp{wp}.spw file containing programming code necessary to run the speller, which has the broadest reasonable interrelations as claimed.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of Speller Dictionary featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught

by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

In regard to independent claim 6, incorporate substantially similar subject matter as cited in claims 4 above, and is similarly rejected along the same rationale.

In regard to independent claim 7, wherein said error correction codes are generated for all multiple character strings that are selected, and are added after predetermined elements of said application data have been written, however (as taught by WordPerfect at pages 579-583. The utility ADD in the supplementary dictionary, that allowing user to add to the main dictionary, which has the broadest reasonable interpretations as claimed.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of Speller Dictionary featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017].

In regard to independent claim 8, writing said attribute types to said application data using a predetermined tag set, (as taught by Thielens at col. 17, line 65 through col. 18, line 20, i.e. discloses the edit tag list, then the answer to step 454 is yes, whereupon an edit tag text insert pad, similar to the one shown in FIG. 7, is displayed in step 460, and the copy editor can add text to the edit tag insert pad in step 462 and display error message appears in step 468).

Thielens does not explicitly teach, **sorting, into predetermined attribute types, words in said application data that may constitute barriers in a context process; and transmitting or storing said application data with which said attribute types are included**, however, (as taught by Stern at page 2, paragraph [0014], i.e. the term "computational device" includes, but is not limited to, any type of computers operating according to any type of hardware and/or operating systems; or any device, which could interpreted as claimed), also (as taught by Stern at page 2, paragraph [0017], i.e. "Web server" refers to a server capable of transmitting a Web page to the Web browser upon request, which could interpreted as claimed), also (as taught by Stern at page 2, paragraph [0025], i.e. recognized words from the OCR process are preferably indexed with the associated probability of error, which could interpreted as claimed).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Stern into Thielens to provide a way to include the feature, wherein an error correction support method for application data included transmitting, sorting words in said application data that may constitute barriers in a context process from predetermined attribute types, and writing said attribute types to said application data using a predetermined tag set. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention, as taught as taught by Stern at page 1, paragraph [0007].

In regard to independent claim 9, wherein said words that are sorted into said predetermined attribute types and that may constitute barriers in said context process is at the least one of a set comprising proper nouns, alphabetic abbreviations, tag names,

keywords that appear as attribute values, (as taught by Stern at page 4, paragraph [0049], i.e. as illustrated in FIG. 3A -FIG. 3B shows for example the word "Henry" even when misspelled as "Hehry", as shown by the underlined located search words).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Stern into Thielens to provide a way to include the feature, wherein said words that are sorted into said predetermined attribute types and that may constitute barriers in said context process is at the least one of a set comprising proper nouns, that appear as attribute values. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention, as taught as taught by Stern at page 1, paragraph [0007].

In regard to independent claim 10, is directed to a system for performing the method of claims 1, 4 and is similarly rejected along the same rationale.

In regard to dependent claim 11, is directed to a system for performing the method of claim 6 and is similarly rejected along the same rationale.

In regard to independent claims 12-13, are directed to a system for performing the method of claim 4 and is similarly rejected along the same rationale.

In regard to dependent claim 14, is directed to a system for performing the method of claims 4, 5, and in further view of the following and is similarly rejected along the same rationale.

when said automatic correction is determined to be possible, (as taught by Thielens at col. 9, line 45 through col. 10, line 15, i.e. discloses a global search and replace the spelling of the word with automatic effect).

In regard to independent claim 15, is directed to a system for performing the method of claims 1, 8, and in further view of the following and is similarly rejected along the same rationale.

a word dictionary and individual character recognition results obtained from said text information, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or grammar when you press (Ctrl-F2), which has the broadest reasonable interpretations as claimed).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of checking spelling featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

In regard to independent claim 16, is directed to a system for performing the method of claims 4, 8, and in further view of the following and is similarly rejected along the same rationale.

compares character with entries in a word dictionary, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or

grammar when you press (Ctrl-F2), which has the broadest reasonable interpretations as claimed, "error correction".

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of checking spelling featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

In regard to claims 17-18, is directed to a system for performing the method of claims 1, 4 and in further view of the following and is similarly rejected along the same rationale.

said application data including correction information that is printed on a paper-based document or form, (as taught by Thielens at col. 1, lines 30-35, i.e. The job of the copy editor is to carefully review the manuscript for changes therein. Specifically, the copy editor first manually folios or numbers all of the pages, and then reviews and edits the manuscript for grammatical and contextual errors by writing the changes on the printed manuscript, and flagging author queries and rewrites),

second computer receives, from said first computer, as taught by Stern at page 2, paragraphs [0017]-[0018], i.e. "Web browser" refers to any software program, which can display text, graphics, or both, from Web pages on World Wide Web sites. Hereinafter, the term "Web server" refers to a server capable of transmitting a Web page to the Web browser upon request, which could interpreted as claimed).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Stern into Thielens to provide a way to include the feature, wherein an error correction support method for application, which could be extended to an application data provision system such that the second computer receives, from said first computer. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution from any data sources, e.g. printed newspaper, microfilm, digital data...), which could be easy to perform automatically, without requiring extensive manual intervention, as taught as taught by Stern at page 1, paragraphs [0003] and [0007].

In regard to independent claim 19, incorporate substantially similar subject matter as cited in claims 17-18 above, and in further view of the following and is similarly rejected along the same rationale.

comparing individual character recognition results with entries in a word dictionary, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or grammar when you press (Ctrl-F2), which has the broadest reasonable interpretations as claimed, “error correction”.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified WordPerfect into Thielens and Stern to provide a way to include the means of checking spelling featured of WordPerfect. One of ordinary skill in the art would have been motivated to perform such a modification to provide error correction solution, which could be easy to perform automatically, without requiring extensive manual intervention

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in any computational devices, and available though the world wide web, as taught by Stern at page 1, paragraph [0007] and also as taught by Stern at page 2, paragraphs [0014] and [0017];

In regard to independent claim 20, is directed to a medium for performing the method of claims 1, 6 and is similarly rejected along the same rationale.

In regard to claims independent claims 21-22, is directed to a medium for performing the method of claims 1, 4 and are similarly rejected along the same rationale.

Response to Argument

5. Applicant's Remark filed 08/18/2005 have been fully considered but they are not persuasive. Applicant argues the rejection under 35 USC 103, Obviousness (see Remarks, pages 10-14). To concisely address the elaborate arguments presented, the Examiner respectfully disagrees for the detailed reasons stated in the rejection of each claim limitation previously presented in Office Action mail date 05/18/20005 (please see rejections for detail).

In further support of the previous Office Action, please note the following:

Additionally, the main thrust of the applicant's argument is Thielens, Stern and WordPerfect are not properly combined. Using the broadest reasonable interpretation of the claims, Thielens and Stern reference teaches and/or suggests all limitations of independent claims 1, 4, 6, 8, 10, 12, 13, 15, 16 and 22 but the error correction, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or grammar when you press (Ctrl-F2), Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein error correction discloses in claim 1, would have been an obvious variant of correct spelling or grammar when you press (Ctrl-F2), to a person of

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ordinary skill in the art at the time the invention was made. Further more, please note the following:

Independent claims 1, 4, 6, 8, 10, 12, 13, 15, 16 and 22 discloses an error correction support method for application data written **in a markup description language**, said method comprising the steps of:

In response to applicant's arguments, the recitation **in a markup description language** has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

There for the rejection of independent claims 1, 4, 6, 8, 10, 12, 13, 15, 16 and 22 are deemed to be proper at least for above the reason at this time.

Additionally, Thielens and Stern reference teaches and/or suggests all limitations of independent claims 1, 4, 6, 8, 10, 12, 13, 15 and 16 but the **error correction**, however (as taught by WordPerfect at pages 573-591. The spell-checking feature has an option to correct spelling or grammar when you press (Ctrl-F2), which has the broadest reasonable interpretations as claimed, "error correction".

In addition, Thielens at col. 1, lines 30-35, i.e. the job of the copy editor is to carefully review the manuscript for changes therein. Specifically, the copy editor first manually folios or numbers all of the pages, and then reviews and edits the manuscript for grammatical and

contextual errors by writing the changes on the printed manuscript, and flagging author queries and rewrites, also Stern at page 2, paragraphs [0017]-[0018], i.e. "Web browser" refers to any software program, which can display text, graphics, or both, from Web pages on World Wide Web sites. Hereinafter, the term "Web server" refers to a server capable of transmitting a Web page to the Web browser upon request. Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein data generated by first, second computer using markup language would have been an obvious variant of "Web browser" and "Web server" refers to a server capable of transmitting a Web page to the Web browser upon request, since the well known standardized language using in the "Web browser" and "Web server" is some type of markup language to a person of ordinary skill in the art at the time the invention was made that markup.

There for the rejection of independent claims 17, 19, 20 and 21 are deemed to be proper at least for above the reason at this time.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
October 22, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
10/22/2005